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GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – A.P. Forest Department - Formation of road in Lingamparthy Reserve Forest in Compt. No.587 from Konda Timmapuram to China Vanthada in Yeleswaram Mandal – Illegal transportation of Laterite – Violation of Forest Conservation Act, 1980 & A.P. Forest Act, 1967 – Common disciplinary proceedings initiated – Inquiry under Rule-20 of A.P. Civil Services (CC&A) Rules, 1991 against **Sri Ch. Surya Chandra Rao, the then Assistant Director of Mines & Geology, Rajamahendravaram** – Articles of Charges – Issued.

ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (Sec.IV) DEPARTMENT

G.O.Rt.No.4 **Dated:03.01.2024.**

Read the following:

1)From the Director General, Vigilance & Enforcement Department, Vigilance Report No.55 (C.No.1678/V&E/NR-1/2016), dated 21.12.2018.
2)Memo.No.119/Sec.IV/A1/2019, EFS&T (Sec.IV) Department, dated 29.12.2023.

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ORDER:

It is proposed to hold an inquiry against Sri Ch. Surya Chandra Rao, the then Assistant Director of Mines & Geology, Rajamahendravaram in accordance with the procedure laid down in Rule-20 of the A.P. Civil Services (Classification, Control and Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of article of charges (Annexure-II).A list of documents by which, and a list of witnesses by whom, the articles of charges are proposed to be sustained are also enclosed (Annexure-III and IV).

3. Sri Ch. Surya Chandra Rao, the then Assistant Director of Mines & Geology, Rajamahendravaram, is informed that he is directed to submit a written statement of his defense within (10) days from the date of receipt of this order.

4. Sri Ch. Surya Chandra Rao, the then Assistant Director of Mines & Geology, Rajamahendravaram, is informed that the inquiry will be held only in respect of those Articles of Charges as are not admitted. He should, therefore, specifically admit or deny each Article of Charge.

5. Sri Ch. Surya Chandra Rao, the then Assistant Director of Mines & Geology, Rajamahendravaram, is further informed that if he does not submit his written statement of defense within the time specified in Para-3 above, further action will be taken based on the material available.

6. Sri Ch. Surya Chandra Rao, the then Assistant Director of Mines & Geology, Rajamahendravaram, is informed that under Rule-24 of the A.P. Civil Services (Conduct) Rules, 1964, no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that Sri Ch. Surya Chandra Rao, the then Assistant

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Director of Mines & Geology, Rajamahendravaram is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule-24 of the A.P. Civil Services (Conduct) Rules, 1964.

7. The receipt of this order may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

NEERABH KUMAR PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri Ch. Surya Chandra Rao, the then Assistant Director of Mines & Geology, Rajamahendravaram through the Director of Mines & Geology, A.P., Ibrahimpatnam, Krishna District.

Copy to:

The Director of Mines & Geology, A.P., Ibrahimpatnam, Krishna District. (He is requested to serve the order on the individual, obtain his dated acknowledgment on the duplicate copy and resubmit the same to Government for record)
SF/SC (Computer No.1455666).

//FORWARDED :: BY ORDER //

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ANNEXURE-I

STATEMENT OF ARTICLES OF CHARGE FRAMED AGAINST SRI CH. SURYA CHANDRA RAO, THE THEN ASSISTANT DIRECTOR OF MINES & GEOLOGY, RAJAMAHENDRAVARAM.

That, Sri Ch. Surya Chandra Rao, while working as Assistant Director of Mines & Geology, Rajamahendravaram, the following irregularities have taken place in respect of Mining Lease held by Smt. Kude Lakshmi for Laterite in Vanthada village, Prathipadu Mandal, East Godavari District in Sy.No.7/1, 7/2, 10/p, 12/p, 16 & 17/p over an extent of 10.417 Hectares.

Charge-I:

Executed the mining lease deed without obtaining fresh EC & CFE for 10.417 hectares as per instructions of Govt., vide G.O.Ms.No.147, dated 23.11.2013.

Charge-II:

Intentionally approved the note for execution of the lease deed on the same day and allowed the execution of lease deed though he himself noted down the remarks in page 10 of the note file that "the lease deed execution is subjected to the outcome of revision petition", favouring the mining lease holder.

Charge-III:

Granted the Mining permits without ascertaining the route for transportation as proposed in the mining plan.

Charge-IV:

Failed to submit the counter affidavit for the affidavit filed by Sri P. Seshagiri Rao, GPA of Smt. Kude Lakshmi even after the Government Pleader had intimated by a letter on 06.08.2015 especially when the GPA is not permitted as per APMMC Rules, 1960 due to which the mining lease holder benefited by getting interim permission order to transport material through the existing road.

Thus, Sri Ch. Surya Chandra Rao, the then Assistant Director of Mines & Geology, Rajamahendravaram by the above mentioned acts has exhibited lack of integrity, devotion of duty and conduct unbecoming of a government servant and thereby violated Rule 3(1)(2) of A.P. Civil Services (Conduct), Rules, 1964.

NEERABH KUMAR PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED:: BY ORDER //

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ANNEXURE-II

STATEMENT OF IMPUTATIONS AND MISCONDUCT OR MISBEHAVIOR IN SUPPORT OF ARTICLES OF CHARGE FRAMED AGAINST SRI CH. SURYA CHANDRA RAO, THE THEN ASSISTANT DIRECTOR OF MINES & GEOLOGY, RAJAMAHENDRAVARAM.

Sri Ch. Surya Chandra Rao, the then Assistant Director of Mines & Geology, Rajamahendravaram and the following irregularities have been taken place during his tenure in respect of Mining Lease held by Smt. Kude Lakshmi for Laterite in Vanthada village, Prathipadu Mandal, East Godavari District in Sy.No.7/1, 7/2, 10/p, 12/p, 16 & 17/p over an extent of 10.417 Hectares.

i) During his tenure, he had executed the mining lease deed in Form K on 13.05.2014 with the lessee Smt. Kude Lakshmi as already the lease was granted in favour of Smt. Kude Lakshmi vide G.O.Ms.No.147, Industries & Commerce Department, dated.23.11.2013, imposing certain conditions on the grantee. The mining lease had applied for EC for 10.96 hectares of previously approved extent and obtained EC dated.19.08.2009 accordingly even after modification of the extent to 10.417 Hectares vide G.O.147. The Assistant Director of Mines and Geology shouldn't have executed the lease deed on 13.05.2014, without obtaining the EC for 10.417 Hectares as stipulated in G.O.Ms.147, dated.23.11.2013 and as instructed by Director of Mines & Geology in his Memo, dated. 24.01.2014. Instead, he approved the note put up by his office staff permitting lease holder for execution of lease deed though revised EC from MoEF for 10.4174 Hectares was not submitted. Taking the decision at Assistant Director of Mines and Geology, level by misinterpreting instructions of the Government Order for execution of the lease deed is violating the rules.

ii) Sri Ch. Surya Chandra Rao noted down the remarks in the note file that "the lease deed execution is subjected to the outcome of revision petition". In such case he wouldn't have allowed for registration of the lease deed on the same day. But even without finalisation of the revision petition he had approved the draft for registration of the lease deed which is contrary to his remarks on the Note file which indicates that the remarks were affixed at a later date duly tampering the note file after approval of the lease deed.

iii) While issuing the transit permits, after inspection report of the Assistant Geologist, the Assistant Director of Mines and Geology, would have insisted for the route through which the mineral was being transported. But he failed to ascertain the road as proposed in the Mining Plan. In fact the mineral was transported through Lingamparthy Reserve Forest without permission of the Forest Department Officials, which is a crime. But the transit permits were issued and the mineral was transported illegally through RF by Sri P. Seshagiri Rao, the GPA holder of Smt. Kude Lakshmi, who is also the Managing Director of M/s. SPM Agro Tech. & Minerals Limited, even prior to obtaining MDL License on 26-3-2015.

iv) Having received the letter dated.06.08.2015 from the Government Pleader of Industries & Commerce Department on 10.08.2015, simply it was referred to the office Superintendent without any

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instructions. He should have personally pursued the judicial matters and being the 4th respondent, he should have submitted the counter affidavit on behalf of Mines and Geology Department. Instead, he failed to take action against the Superintendent who failed to put up Note file on the subject matter until his relief on 19.08.2015. Both Assistant Director of Mines and Geology and the Superintendent had failed to discharge their legitimate duties intentionally and did not file the counter affidavit due to which an interim order from the Hon'ble High Court was issued in favour of the mining lease on 13.08.2016.

Thus, the Government Servant by the above mentioned acts has exhibited lack of integrity, devotion of duty and conduct unbecoming of a government servant and thereby violated Rule 3(1)(2) of A.P. Civil Services (Conduct), Rules, 1964.

NEERABH KUMAR PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED:: BY ORDER //

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ANNEXURE-III

LIST OF DOCUMENTS BY WHICH THE ARTICLES OF CHARGES FRAMED AGAINST SRI CH.SURYA CHANDRA RAO, THE THEN ASSISTANT DIRECTOR OF MINES & GEOLOGY, RAJAMAHENDRAVARAM ARE PROPOSED TO BE SUSTAINED.

1) Vigilance Report No.55 (C.No.1678/V&E/NRI/2016), dated 21.12.2018.

2)G.O.Ms.No.147, Industries & Commerce Department, dated 23.11.2013.

3) Note file of the lease deed execution of Smt. Kude Lakshmi.

4) Letter, dated 06.08.2015 from the Government Pleader of Industries & Commerce Department on 10.08.2015.

5) G.O.Ms.No.2, Revenue (Assignments) Department, dated 02.01.2013.

6)Director of Mines & Geology, Memo.No.32290/R2-1/2008, dated 22.06.2013.

NEERABH KUMAR PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED:: BY ORDER //

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ANNEXURE-IV

LIST OF WITNESSES BY WHOM THE ARTICLES OF CHARGE FRAMED AGAINST SRI CH. SURYA CHANDRA RAO, THE THEN ASSISTANT DIRECTOR OF MINES & GEOLOGY, RAJAMAHENDRAVARAM ARE PROPOSED TO BE SUSTAINED

1) Sri Lingaraj Banakar, Complainant, Pragathi Samaj, Dalakasoti Village.
2) Officials of the Vigilance and Enforcement Department.

NEERABH KUMAR PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED :: BY ORDER //

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